

VILLAGE OF ORLAND PARK

*14700 S. Ravinia Avenue
Orland Park, IL 60462
www.orlandpark.org*



Meeting Minutes

Tuesday, November 21, 2023

7:00 PM

Village Hall

Plan Commission

*Nick Parisi, Chairman
Edward Schussler, Vice Chairman
Commissioners: John J. Paul, Patrick Zomparelli, Yousef Zaatar,
Daniel Sanchez and John Nugent*

CALLED TO ORDER/ROLL CALL

The meeting was called to order at 7:00 p.m.

Present: 5 - Member Parisi; Member Schussler; Member Paul; Member Sanchez, Member Nugent

Absent: 2 - Member Zomparelli, Member Zaatar

APPROVAL OF MINUTES**2023-0917 Minutes for the November 7, 2023, Plan Commission Meeting**

A motion was made by Member Edward Schussler, seconded by Member John J. Paul, that this matter be APPROVED. The motion carried by the following vote:

Aye: 5 - Member Parisi, Member Schussler, Member Paul, Member Sanchez and Member Nugent

Nay: 0

Absent: 2 - Member Zomparelli and Member Zaatar

PUBLIC HEARINGS**OPEN PUBLIC HEARING**

A motion was made by Member Nick Parisi, seconded by Member Edward Schussler, that this matter be APPROVED. The motion carried by the following vote:

Aye: 5 - Member Parisi, Member Schussler, Member Paul, Member Sanchez and Member Nugent

Nay: 0

Absent: 2 - Member Zomparelli and Member Zaatar

2023-0915 Substantive Amendment: Revise and Update Development and Subdivision Exactions: Dedication of Land and Fees in Lieu of Dedication

Substantive Amendment: Revise and Update Development and Subdivision Exactions: Dedication of Land and Fees in Lieu of Dedication

A brief presentation was given by Mr. Lelo in accordance with the written report and the slide presentation. He stated the Village has collected impact fees for many years but the ordinance has not been updated since 1994. The main purposes of this update are to make sure we are currently in line with the industry standard, State Statutes, as well as the current costs to provide land and cash for these impact fees. He stated the new ordinance will include impact fees for school, fire, library, police, parks and Village infrastructure. The infrastructure will better allocate funds for not only transportation related needs, but can also be

used for sidewalk, street lighting, curbs, and gutters. Fees are only attributed to new growth. Intergovernmental agreements between the taxing bodies and the VOP will be required. If no agreement, fees won't be collected. Mr. Lelo continued with the slide presentation.

Mr. Lelo stated staff recommends the Plan Commission approve the proposed substantive amendment.

Commissioner Schussler stated that it is a really big change from what has been done in the past and that's why he is concerned. He stated that the fees will make development non-competitive with surrounding communities and developers will build there. Mr. Schussler agreed with having impact and exaction fees but stated they need to be reasonable. Mr. Schussler had some specific questions regarding page 6 - A of the presentation regarding criteria for determining land cash contributions. He stated number three has a \$300,000 figure but what's missing is something that says it's per acre. He asked what the source was for number five, specifically table 2, if it was from a school.

Mr. Lelo answered that it's from an updated ordinance that Naperville used, their updated generation tables.

Commissioner Schussler asked if this was the same one that was in the existing updated ordinance.

Mr. Lelo stated yes, most municipalities use the same one and we're utilizing it as well.

Commissioner Schussler stated it's well-accepted and continued to page 9. Under dedication of land or fees in lieu of land for parks and recreation sites and (B) fair share donation formula it talks about a ratio of 7 acres for 1,000 but the current ordinance is 10 per 1,000. He asked what the rationale is for reducing park acreage.

Mr. Lelo stated the current ordinance acres 10 units and when you go to the calculation it uses 7. It has both.

Commissioner Schussler stated at number 3 there is another reference to \$300,000.

Mr. Lelo replied thank you.

Commissioner Schussler asked if Mr. Lelo discussed what's being proposed with the fire district, school district and library.

Mr. Lelo stated on Monday, November 27th, the Village will have their Joint Review Board (JRB) meeting for the Main Street Triangle TIF. In addition, they will

be introducing the impact fee ordinance as well as other items the school and fire districts had questions on from a draft ordinance sent 3 weeks prior.

Commissioner Schussler replied okay. He moved on to fire and rescue impact fee number (A), and asked about the 10-year average. The fire districts have constructed and located their stations in anticipated of full build-out (75,000-80,000 population). There will be a need for apparatuses (fire trucks, ambulances, etc.), going 10 years back looking at how many fire trucks and ambulances were bought, how is that related to the impact of residents coming for a new subdivision. How do we square what is needed because of the new subdivision and looking at the numbers for what was needed for the whole Village over 10 years.

Mr. Lelo stated that we'll need to determine the specific impacts attributable to new development and determine the costs from there. That's what was recommended by our consultant who prepared this draft ordinance.

Commissioner Schussler asked if there are other municipalities that use this formula.

Mr. Lelo replied yes.

Commissioner Schussler asked if there were a lot of them.

Mr. Lelo replied I believe so but I don't know exactly how many or which. But I know the consultant worked with Naperville on their updates as well.

Commissioner Schussler asked if this is the new way Naperville does it now.

Mr. Lelo replied yes, this is a formula of that, correct.

Commissioner Schussler responded OK.

Ms. Skrodzki stated that the idea from the past 10 years is to get a per capita average figure over a 10-year period and then apply that to potential new development.

Commissioner Schussler responded kind of like the way they build a tax bill.

Ms. Skrodzki answered correct.

Commissioner Schussler stated that with the law enforcement impact fee, it's unlikely another police station or addition will be needed. So we're talking about police cars and stuff like that.

Mr. Lelo responded for example if they're expanding the need of training where

we're doing a training facility and firing range, that capital cost if attributable to new growth can be accounted for as well.

Commissioner Schussler stated it's the same theory under library, I see, OK. When you get to the definitions of capital assets, capital costs and capital improvements, under Village Public Infrastructure, number 30, it talks about sidewalks, street lights, curbs, etc. but not constituting roadway improvements. It sounds like you can't use any of this money for road improvements and widening.

Mr. Lelo responded it was his understanding with the State Statute there are specific requirements to charging road exaction fees that require a study of the existing roadway system and network, what the new development is and how it's impacting your existing level of service. In this instance, we're removing that so we don't have to continue to update that study in terms of the entire Village and how those facilities are being affected.

Commissioner Schussler stated you're using words to say I think that none of the fees that are collected can be used for roadway improvements.

Mr. Lelo responded the fees that we're replacing will not be used for roadway improvements.

Commissioner Schussler stated there's not going to be an exaction fee for roads.

Mr. Lelo answered correct. This will replace that.

Commissioner Schussler stated it's not replacing it if you can't include if you can't use it.

Mr. Lelo responded we're removing the road exaction fee and we're adding a village infrastructure fee that does not include that.

Commissioner Schussler stated the village infrastructure fee says it does not include roadway improvements.

Mr. Lelo replied correct. We're removing the existing fee that is for road exactions, we're not replacing that we are only adding the village infrastructure fee as defined.

Commissioner Schussler responded OK. It seems like road improvements are pretty critical around here, like widening 143rd Street and Wolf Road, we're not going to collect any money to do that then.

Mr. Lelo replied that's correct. Through the impact fees we are not collecting money to do that.

Commissioner Schussler stated he thought it's a big mistake to not include road improvements, but was his personal opinion.

Mr. Lelo understood the concern and mentioned he can get some better clarification from the attorney who prepared the draft ordinance to know exactly why we're not including road improvements.

Commissioner Schussler stated on record, it's big mistake to eliminate the road exaction fee whether you do it separately or you include it in the village public infrastructure umbrella. He thought we needed a road exaction fee for the roads that need to be widened in the next 20 years.

The roads previously mentioned are State or County roads, and there is typically a 20% local match for road improvements.

Mr. Lelo responded there are specific stipulations so senior living developments they can't just say they're age restricted. They have to have it in the covenants of the HOA and that's included in the ordinance. They would be exempt from the school impact fee.

Commissioner Nugent asked what is our biggest development right now. Waterford Pointe at 153rd and Wolf.

Mr. Lelo responded yes, that's probably the biggest one now. Previous to that would be Orland Ridge.

Commissioner Nugent stated I know you have leeway but he put that top lot, park pieces on the front so how does that work normally. They decide they want it or by the time you added the number of units, he had to have something. That was a combo right, donation.

Mr. Lelo responded yes, that's why they commonly refer to it as land cash. If there's a certain amount of land they have to dedicate for those purposes, for a park, if they can't accommodate it on the site or Village thinks it would be better elsewhere they can provide the cash. It's usually a combination of both. In this instance it allows for both but the numbers used would be as if it was strictly cash.

Commissioner Nugent stated 142nd Place and 80th Avenue, the ranch duplexes, generated zero children. How do we decide we want a park on-site and the fee? Do they pay the same fees if we know they're not going to generate a lot of kids?

Mr. Lelo responded the trouble with saying you know they're not going to, currently they may not but that doesn't necessarily mean they can't. I think that's why the ordinance is written the way it is. The formula is the same for everyone based on the 7 acres per thousand residents. What the update is doing is right-sizing the amount of cash-in-lieu we're receiving. If you offer that, you're getting much more

of a discount now than after the update.

Commissioner Nugent stated 104th and 108th corridors have decent-sized subdivisions that have parcels adjacent to them. From a developer's perspective, if they have parks here or there or want one, how do we tell them they can't or we don't really want one.

Mr. Lelo responded they do it during the comprehensive plan every 10 years. We update it to look at existing facilities and parks. As the developments come in, Village staff looks at park opportunities on a case-by-case basis. Village staff tells developers that parks and open space are required, with a cash-in-lieu contribution typically selected.

Commissioner Nugent asked if a developer comes in and they want a park to make their neighborhood attractive, we have to tell them they need one.

Mr. Lelo responded we always tell them they need one. If you're going to build residences, you have to provide certain portions of that area for parks and open space and/or a cash-in-lieu payment.

Commissioner Nugent asked Mr. Lelo if he was familiar with Glenn Eagles and Lemont former golf course.

Mr. Lelo responded yes, I'm more familiar with it as a golf course.

Commissioner Nugent stated homes in that area are three kids and are going to be a major impact on everything so do they get charged more. Do we have the ability to have a Glenn Eagles.

Mr. Lelo responded I can't speak on exactly what is happening there.

Commissioner Nugent replied they're going to have 500 units, some of them townhomes, and they're saying the homes are families with three kids plus.

Mr. Lelo stated what happens in most municipalities is that there's an ordinance like this that applies to everything whether it's 500 homes or 50. If you're getting a large-scale development, there are opportunities to negotiate fees associated with the Village. If it's associated with parks, we may have an opportunity to negotiate that fee in favor of something else if it's a development of that scale. It would be up to that taxing body if they want to offer a waiver by building so many homes at once.

Commissioner Nugent stated we have something major, we have a few quarters that could happen but even where they're building off Wolf Road, that's not a major kid impact for whatever reason.

Mr. Lelo replied I'm not really sure. It was 50 single family units. It's been amended a couple of times for townhomes but I think the standard mix of residents has changed. To say townhomes don't generate as many kids, I don't know if that's the case anymore.

Commissioner Nugent stated we do have some big parcels that could be grabbed.

Mr. Lelo responded the majority of the remaining residential land to be developed is owned by a single residential developer. If you look on our zoning map you see the zoning classification LSPD, that's all Gallagher & Henry land that's governed by a development agreement that's set to expire soon. There are some very large tracts of land that are available for development.

Commissioner Schussler stated the Gallaher & Henry land has been vacant for a long time but it could develop very quickly. They could decide they're going to sell that land to some developer and we could have a 500-unit development in short order.

Chairman Parisi stated several years ago the Commission looked at that huge parcel north of 139th Street and 108th Avenue.

Commissioner Nugent responded Tampier Lake.

Chairman Parisi replied yes, by Brittany Glenn. They had 110 lots and nothing's ever come of it. The question is what do we have left. There are a couple of substantial places left, even down LaGrange Road south of 183rd there was going to be a huge development.

Mr. Lelo stated 750 homes.

Chairman Parisi responded 750 homes surrounded by the townhomes and the condos and that never took off so there's some potential out there.

Commissioner Nugent added speaking of Gallagher, three of his old neighborhoods are all on their last block. He's about to finish three neighborhoods so he might have the energy to come here.

Mr. Lelo replied one thing I know about Orland is if there's available land, people will try to build on it.

Chairman Parisi stated it's really interesting that throughout that statistic we haven't looked at this is 29 years. It's timely and we've grown in that time. Impact fees should be a living organism that we're looking at. I think it's important and I'm glad we're keeping an eye on this and measuring ourselves against what other villages may or may not have been doing. So this is good.

Commissioner Nugent added seven of our schools just added on so we have capacity.

Chairman Parisi asked if any other Commissioners wanted to speak.

No members of the public spoke.

Recommended Action

Staff recommends to accept and make findings of fact as discussed at this Plan Commission meeting and within the Staff Report dated November 15, 2023;
And

Staff Recommends that the Plan Commission approve the Land Development Code Amendments for Section 5-112.H as presented in the attached report titled "11/21/23 Land Development Code Amendment Report" dated November 15, 2023.

Recommended Motion

Regarding Case Number 2023-0915, I move to approve the Staff Recommended Action as presented in the Staff Report to the Plan Commission for this case.

A motion was made by Member Edward Schussler, seconded by Member John J. Paul, that this matter be APPROVED. The motion carried by the following vote:

Aye: 5 - Member Parisi, Member Schussler, Member Paul, Member Sanchez and Member Nugent

Nay: 0

Absent: 2 - Member Zomparelli and Member Zaatar

CLOSE PUBLIC HEARING

A motion was made by Member Nick Parisi, seconded by Member John J. Paul, that this matter be APPROVED. The motion carried by the following vote:

Aye: 5 - Member Parisi, Member Schussler, Member Paul, Member Sanchez and Member Nugent

Nay: 0

Absent: 2 - Member Zomparelli and Member Zaatar

OPEN PUBLIC HEARING

A motion was made by Member Nick Parisi, seconded by Member John J. Paul, that this matter be APPROVED. The motion carried by the following vote:

Aye: 5 - Member Parisi, Member Schussler, Member Paul, Member Sanchez and Member Nugent

Nay: 0

Absent: 2 - Member Zomparelli and Member Zaatar

2023-0896 Substantive Amendment: Modify Entitlement Review Process

Substantive Amendment: Modify Entitlement Review Process

Mr. LeVigne respectfully requested the staff report be accepted into the record as written and as presented during the meeting.

Mr. LeVigne stated this case focuses on the changes to the entitlement review process in Section 5-101. This shift is to aim to emphasize efficiency for the Village and for developers. This is an ongoing implementation of our LEI process. The current process is staff approval of preliminary plans, Plan Commission recommendation, staff approval of final engineering and final landscaping, and then a Board of Trustees decision. Plans for a development can be "80%" plans (an industry standard) to move forward to the Board of Trustees. Minor changes can be addressed administratively. If there are substantial changes, the petitioner would need to return to the entitlement review process.

If the project receives unanimous approval from the Plan Commission, it would proceed to the Board of Trustees.

As part of this amendment, the flowchart will be removed from the code because it encompasses every type of project which makes the process overwhelming for new applicants.

Staff recommends the Plan Commission approve the proposed Land Development Code amendments for Section 5-101.A, 5-101.C, and 5-101.K.

Commissioner Schussler stated it's all technical stuff.

No members of the public spoke.

Staff recommends to accept and make findings of fact as discussed at this Plan Commission meeting and within the Staff Report dated November 15, 2023;
And

Staff Recommends that the Plan Commission recommend approval of the Land Development Code Amendments for Sections 5-101.A, 5-101.C, and 5-101.K, as presented in the attached report titled "11/21/23 Land Development Code Amendment Report" dated November 15, 2023.

Recommended Motion

Regarding Case Number 2023-0896, I move to approve the Staff Recommended Action as presented in the Staff Report to the Plan Commission for this case.

APPROVED

Aye: 5 - Member Parisi, Member Schussler, Member Paul, Member Sanchez and Member Nugent

Nay: 0

Absent: 2 - Member Zomparelli and Member Zaatar

CLOSE PUBLIC HEARING

A motion was made by Member Edward Schussler, seconded by Member John J. Paul, that this matter be APPROVED. The motion carried by the following vote:

Aye: 5 - Member Parisi, Member Schussler, Member Paul, Member Sanchez and Member Nugent

Nay: 0

Absent: 2 - Member Zomparelli and Member Zaatar

OPEN PUBLIC HEARING

A motion was made by Member Nick Parisi, seconded by Member John J. Paul, that this matter be APPROVED. The motion carried by the following vote:

Aye: 5 - Member Parisi, Member Schussler, Member Paul, Member Sanchez and Member Nugent

Nay: 0

Absent: 2 - Member Zomparelli and Member Zaatar

2023-0897 Substantive Amendment: Modify Residential Best Management Practices (BMPs)

Substantive Amendment: Modify Residential Best Management Practices (BMPs)

Ms. Henry respectfully requested staff report be accepted into the record as written and as presented during the meeting.

Ms. Henry stated the goal of this amendment is to establish a maximum lot coverage allowance that is easily understood by the public and more easily enforceable by the staff. This amendment would no longer allow Best Management Practices (BMPs) for residential zoning districts. Side-loaded garages will still have the extra 3% lot coverage, where applicable.

Staff recommends the Plan Commission approve the Land Development Code (LDC) amendments as presented.

No members of the public spoke.

Staff recommends to accept and make findings of fact of this Plan Commission and the findings of fact set forth in this staff report, dated November 15, 2023;

And

Staff recommends that the Plan Commission recommend approval of the Land

Development Code Amendments for Sections 6-305.F.2.c, 6-201.F, 6-202.F, 6-203.F, 6-203.5.F, 6-204.F, 6-204.5.F, 6-205.F, 6-206.G as presented in the attached amendment report titled "11/21/23 Land Development Code Amendment Report" dated November 15, 2023.

Recommended Motion

Regarding Case Number 2023-0897, I move to approve the Staff Recommended Action as presented in the Staff Report to the Plan Commission for this case.

A motion was made by Member Edward Schussler, seconded by Member John J. Paul, that this matter be APPROVED and the public hearing CLOSED. The motion carried by the following vote:

Aye: 5 - Member Parisi, Member Schussler, Member Paul, Member Sanchez and Member Nugent

Nay: 0

Absent: 2 - Member Zomparelli and Member Zaatar

CLOSE PUBLIC HEARING

OPEN PUBLIC HEARING

A motion was made by Member Nick Parisi, seconded by Member John J. Paul, that this matter be APPROVED. The motion carried by the following vote:

Aye: 5 - Member Parisi, Member Schussler, Member Paul, Member Sanchez and Member Nugent

Nay: 0

Absent: 2 - Member Zomparelli and Member Zaatar

2023-0898 Substantive Amendment: Clarify Driveways and Driveway Apron Regulations

Substantive Amendment: Clarify Driveways and Driveway Apron Regulations

Ms. Henry respectfully requested staff report be accepted into the record as written and as presented during the meeting.

Ms. Henry stated this amendment will make the LDC and Village Code more efficient and easier to interpret for the public and staff. The intent is to move dimension-related text from the Village Code to the LDC because the information pertains to zoning related regulations. Duplicate information regarding specifications of driveways and driveway aprons will be removed from the LDC and kept in the Village Code.

Staff recommends the Plan Commission continue case 2023-0915 to the Tuesday, December 5, 2023, meeting of the Plan Commission at 7 p.m., to ensure all duplicate construction specifications of the LDC are only located in the

Village Code, and approved by reference.

No members of the public spoke.

Staff Recommends that the Plan Commission continue case 2023-0898 to Tuesday, December 5, 2023 Plan Commission meeting.

regarding Case Number 2023-0898, I move to approve the staff Recommended Action as presented in the Staff Report to the Plan Commission for this case.

CONTINUED. A motion was made by Member Edward G. Schussler and amended, seconded by Member John Paul, that this matter be CONTINUED.

Aye: 5 - Member Parisi, Member Schussler, Member Paul, Member Sanchez and Member Nugent

Nay: 0

Absent: 2 - Member Zomparelli and Member Zaatar

CLOSE PUBLIC HEARING

CONTINUED to the Plan Commission

OPEN PUBLIC HEARING

A motion was made by Member Nick Parisi, seconded by Member John J. Paul, that this matter be APPROVED. The motion carried by the following vote:

Aye: 5 - Member Parisi, Member Schussler, Member Paul, Member Sanchez and Member Nugent

Nay: 0

Absent: 2 - Member Zomparelli and Member Zaatar

2023-0899 Substantive Amendment: Adding New Permitted Use to the Open Space District

Substantive Amendment: Adding New Permitted Use to the Open Space District

Mr. LeVigne stated this amendment would allow for civic and fraternal nonprofit organizations to be permitted uses in the Open Space district, which is suitable for gathering places in recreational areas. The purpose of this amendment is to preserve inclusivity and flexibility of uses appropriate for the Open Space district by providing different accommodations for various civic groups.

Staff recommends the Plan Commission approve the LDC amendment as presented.

No members of the public spoke.

Staff recommends to accept and make findings of fact as discussed at this Plan Commission meeting and within the Staff Report dated November 15, 2023;
And

Staff Recommends that the Plan Commission recommend approval of the Land Development Code Amendments for Section 6-213 as presented in the attached report titled "11/21/23 Land Development Code Amendment Report" dated November 15, 2023.

Recommended Motion

Regarding Case Number 2023-0898, I move to approve the Staff Recommended Action as presented in the Staff Report to the Plan Commission for this case.

A motion was made by Chairman Nick Parisi, seconded by Member John J. Paul, that this matter be APPROVED and the public hearing CLOSED. The motion carried by the following vote:

Aye: 5 - Member Parisi, Member Schussler, Member Paul, Member Sanchez and Member Nugent

Nay: 0

Absent: 2 - Member Zomparelli and Member Zaatar

CLOSE PUBLIC HEARING

NON-PUBLIC HEARINGS

OTHER BUSINESS

2023-0918 Memo: New Petitions

NON-SCHEDULED CITIZENS & VISITORS

ADJOURNMENT

The meeting was adjourned at 7:53 p.m.

A motion was made by Member Nick Parisi, seconded by Member John J. Paul, that this matter be ADJOURNMENT. The motion carried by the following vote:

Aye: 5 - Member Parisi, Member Schussler, Member Paul, Member Sanchez and Member Nugent

Nay: 0

Absent: 2 - Member Zomparelli and Member Zaatar